

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robert Tam
Serial No. : 09/331,204 **Examiner:** James Schultz
Filed : August 20, 1999 **Group Art:** 1635
Title : G-rich Olio Aptamers and Methods of Modulating an Immune Response

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
TO OVERCOME CITED REFERENCE (37 C.F.R. §1.131)
AND TO SHOW DERIVATION FROM APPLICANTS WORK (37 C.F.R. 1.132)**

I, Robert Tam, hereby declare that:

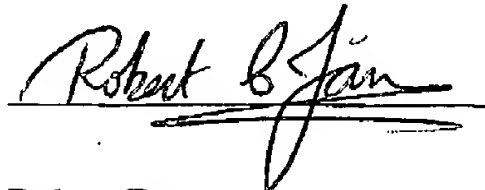
1. I am making this declaration in order to overcome the rejection of claims in the above-identified application under 35 U.S.C. §§ 102(a) and 102(b) in view of the publication on August 15, 1996 of international application No. PCT/US96/01507, publication number WO 96/24380;
2. I am the sole inventor of the subject matter in the above-referenced patent application, serial No. 09/331,204;
3. I made the inventions claimed in the above-referenced patent application in the United States at a date prior to August 15, 1996;
4. I am the sole inventor of the subject matter described in the cited publication, WO 96/24380; and
5. All activities associated with the making of the inventions claimed in the above-referenced patent application were conducted in the United States.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

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statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: June , 2004

A handwritten signature in black ink, appearing to read "Robert B. Tam", written over a horizontal line.

Robert Tam
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